

*McClay•Alton, P.L.L.P.
Robert M. McClay #69620
(Pro Hac Vice)
951 Grand Avenue
St. Paul, Minnesota 55101
Telephone: 651-290-0301
Fax: 651-290-2502
Email: law@mcclay-alton.com*

*Marvin C. Ingber #0048859
(Pro Hac Vice)
Attorney and Counselor at Law
6705 Apache Road
Edina, Minnesota 55439-1001
Telephone: 612-327-8378
Email: mcingber@comcast.net*

*Attorneys for Defendants:
IRVING J. PINTO 1996 GRANTOR RETAINED
ANNUITY TRUST; IRVING J. PINTO 1994
GRANTOR RETAINED ANNUITY TRUST;
SIDNEY KAPLAN, in his/her capacity as Trustee
of the Irving J. Pinto 1996 Grantor Retained
Annuity Trust and the Irving J. Pinto 1994
Grantor Retained Annuity Trust; ESTATE OF IRVING
J.PINTO; and JAMIE PINTO, in his capacity as
Personal Representative of the Estate of Irving J. Pinto.*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

| |
|--|
| Debtor. |
| IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, |
| Plaintiff, |
| v. |
| IRVING J. PINTO 1996 GRANTOR RETAINED ANNUITY TRUST; IRVING J. PINTO 1994 GRANTOR RETAINED ANNUITY TRUST; SIDNEY KAPLAN, in his/her capacity as Trustee of the Irving J. Pinto 1996 Grantor Retained Annuity Trust and the Irving J. Pinto 1994 Grantor Retained Annuity Trust; ESTATE OF IRVING J.PINTO; and JAMIE PINTO, in his capacity as Personal Representative of the Estate of Irving J. Pinto, |
| Defendants. |

Adv. Pro. No. 10-04744 (SMB)

**CERTIFICATE OF NO OBJECTION OF MOTION OF DEFENDANTS'
COUNSEL ROBERT M. McCLAY AT THE LAW FIRM OF McCLAY•ALTON,
P.L.L.P. AND DEFENDANTS' COUNSEL MARVIN C. INGBER FOR AN ORDER
PURSUANT TO RULE 2090-1(e) OF THE LOCAL BANKRUPTCY RULES TO
REMOVE BRUCE S. SCHAEFFER AS COUNSEL TO DEFENDANTS**

Defendants IRVING J. PINTO 1996 GRANTOR RETAINED ANNUITY TRUST;
IRVING J. PINTO 1994 GRANTOR RETAINED ANNUITY TRUST; SIDNEY KAPLAN, in
his/her capacity as Trustee of the Irving J. Pinto 1996 Grantor Retained Annuity Trust and the
Irving J. Pinto 1994 Grantor Retained Annuity Trust; ESTATE OF IRVING J.PINTO; and
JAMIE PINTO, in his capacity as Personal Representative of the Estate of Irving J. Pinto
("Defendants"), by and through their undersigned counsel, Robert M. McClay, McClay•Alton,
P.L.L.P. and Marvin C. Ingber ("Active Counsel for Defendants") submit this certificate pursuant
to the United States Bankruptcy Court, Southern District of New York, Local Bankruptcy Rule
9075-2, and respectfully represent:

1. On April 22, 2015, Active Counsel for Defendants filed the *Motion of Defendants' Counsel Robert M. McClay at the Law Firm of McClay•ALTON, P.L.L.P. and Defendants' Counsel Marvin C. Ingber for an Order Pursuant to Rule 2090-1(e) of the Local Bankruptcy Rules to Remove Bruce S. Schaeffer as Counsel to Defendants* (the "Motion") (08-01789, ECF No. 9853; 10-04588, ECF No. 40).

2. The deadline for filing objections to the Motion expired on June 3, 2015 at 4:00 p.m. prevailing Eastern time. A hearing on the Motion has been scheduled for June 8, 2015 at 12:00 p.m. prevailing Eastern time.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to:
- a. Defendant Jamie Pinto;
 - b. Bruce S. Schaeffer, Esq.;
 - c. Trustee c/o Marc E. Hirschfield, Esq., Dean Hunt, Esq. and Farrell A. Hochmuth, Esq.;
 - d. All parties included in the Master Service List as defined in the Order Establishing Notice Procedures and Limiting Notice dated November 5, 2011 (ECF No. 4560);
 - e. All parties that have filed a notice of appearance in this case: Kevin H. Bell, Esq. with Securities Investor Protection Corporation.

4. Counsel has reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Active Counsel for Defendants that it intends to oppose the relief requested in the Motion.

5. An electronic copy of a proposed order (the "Order"), substantially in the form of the proposed order annexed to the Motion will be submitted to the Court, along with this Certificate.

6. Pursuant to United States Bankruptcy Court, Southern District of New York Local

Bankruptcy Rule 9075-2, Active Counsel for Defendants respectfully request that the Order be entered without a hearing.

Dated: St. Paul Minnesota

June 5, 2015

By: /s/ Robert M. McClay
Robert M. McClay #69620
McClay•Alton, P.L.L.P.
(Pro Hac Vice)
951 Grand Avenue
St. Paul, Minnesota 55101
Telephone: 651-290-0301
Fax: 651-290-2502
Email: law@mcclay-alton.com

Dated: Edina, Minnesota

June 5, 2015

By: /s/ Marvin C. Ingber
Marvin C. Ingber #0048859
(Pro Hac Vice)
Attorney and Counselor at Law
6705 Apache Road
Edina, Minnesota 55439-1001
Telephone: 612-327-8378
Email: mcingber@comcast.net

Attorneys for Defendants:
IRVING J. PINTO 1996 GRANTOR
RETAINED ANNUITY TRUST; IRVING J.
PINTO 1994 GRANTOR RETAINED
ANNUITY TRUST; SIDNEY KAPLAN, in
his/her capacity as Trustee of the Irving J.
Pinto 1996 Grantor Retained Annuity Trust
and the Irving J. Pinto 1994 Grantor Retained
Annuity Trust; ESTATE OF IRVING J. PINTO;
and JAMIE PINTO, in his capacity as
Personal Representative of the Estate of Irving
J. Pinto.